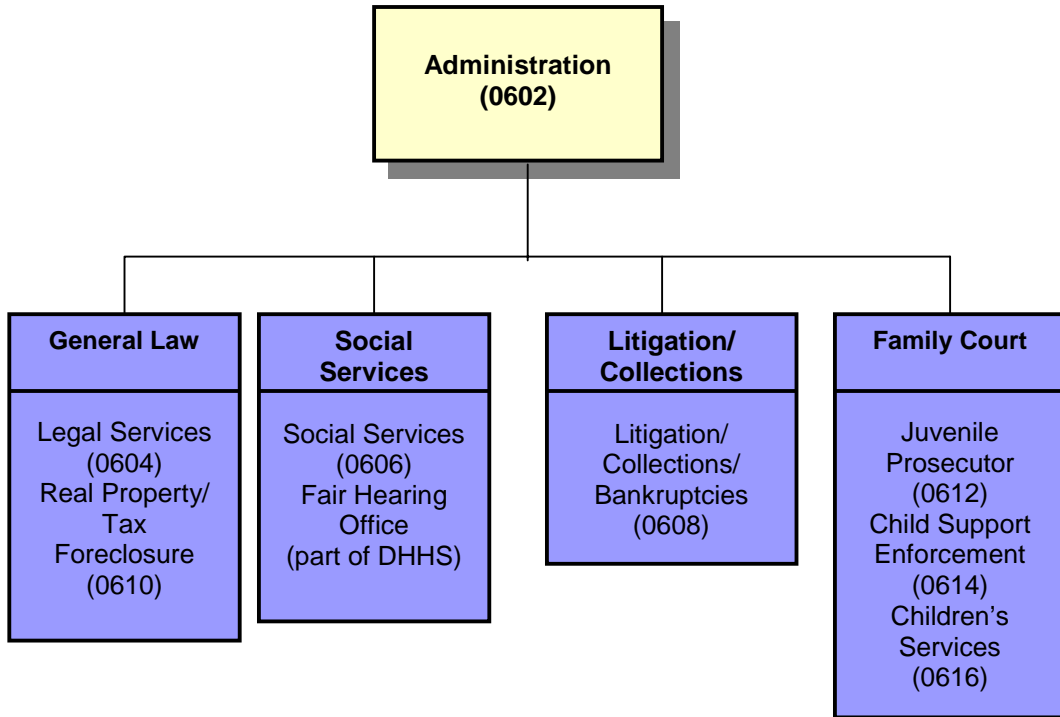


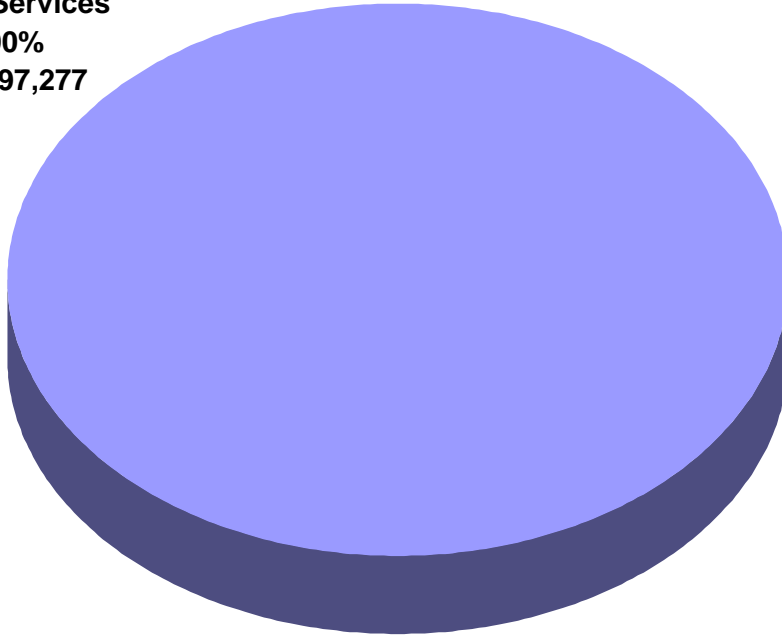
LAW (006)



LAW

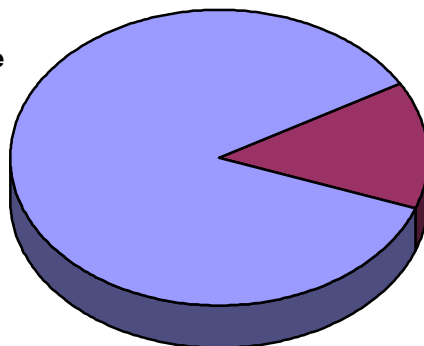
2003 Budget - \$10,497,277

Legal Services
100%
\$10,497,277



Net County Support

Attributable
Revenues
86.2%
\$9,048,539



Net County
Support
13.8%
\$1,448,738

DEPARTMENT: Law (006)

DEPARTMENT DESCRIPTION

The Monroe County Law Department provides to county departments and residents high quality legal representation and counsel that are of value to the community at large. These services meet client and public needs, are delivered expeditiously and inspire client and public confidence.

STRATEGIC FRAMEWORK

Mission

The Law Department shall deliver responsive, efficient, effective legal representation and counsel to county departments and residents, in order to assist in providing the highest return to the community on their investment. The Law Department provides quality legal services to enable Monroe County government to assure a safe, healthy, prosperous and stimulating environment which results in a world class place to live, work and enjoy life.

Key Result Areas

Client Satisfaction: Our clients are satisfied with Law Department services, initiatives and activities.

Productive Workforce: We support a diverse workforce that efficiently meets or exceeds clients' expectations.

Quality Services: We provide quality legal services designed to prevent legal problems; provide clear, concise and effective advice to clients; prosecute legal matters in an efficient and expeditious manner; and provide timely communication with clients.

Fiscal Responsibility: The Law Department continuously achieves sound financial outcomes in the stewardship of public funds through efficient use of its resources.

Key Result Measures

Client Satisfaction: Client opinion regarding quality, client initiated complaints and comments, response time to client inquiries, and communications with clients.

Productive Workforce: Employee turnover, absenteeism, job performance objectives, job audits, employee complaints, personnel cost per unit of service, continuing education and training, and decision-making authority.

Quality Services: Measure cases with a favorable result and compare with statistics over time, measure time necessary to complete assigned matters, measure cases which are diverted from court action by early intervention or advice from Law Department, perform independent review and audit of cases, tabulate and measure client concerns through telephone calls and review of complaints, and measure procedures to provide more efficient services.

Fiscal Responsibility: Enhance revenues collected, and calculate unit cost to render services.

2002 Major Accomplishments

- Developed procedures that have significantly reduced the review time and revisions to Legislative referrals by the Law Department, Budget and Executive's Office staff
- Nearly completed the shift from hard copy to electronic legal research, resulting in significant savings in time and cost
- Developed procedures and a number of standard contract forms of various types of low risk contracts, to enable routine low risk County contracts to be executed without Law Department review. The procedures have been implemented on a trial basis as a pilot program with select departments

- Played a major role in initiating and guiding one of the first county-wide efforts in New York to make all county departments compliant with the new Federal HIPAA Privacy Regulations by April 2003, along with developing a model structure for use by other New York State counties
- Recovered \$266,657 in project management costs from New York State in connection with services at Monroe Community Hospital (MCH)
- Provided legal analysis supporting the Case Commission's recommendation that all the county departments which purchase drugs do so through the health group purchasing cooperative to which MCH belongs, instead of through bidding, which would significantly reduce the county's cost of drugs
- Participated in the development of the procedures used by the county's Technology Architecture Review Board to review technology projects
- Successfully negotiated a Voluntary Consent Agreement among the New York State Department of Environmental Conservation (DEC), County of Monroe, and Rochester Gas and Electric Corporation (RG&E), and Letter of Agreement between the county and RG&E regarding contamination at the Brewer Street site
- Developed a surrogate decision-making procedure for MCH staff to use when treatment issues arise for incompetent residents who have no legal guardians, and provided training to the MCH Ethics Committee for use of the procedure
- Developed an intellectual property and information technology legal specialty for the county
- Revised contract review process to increase efficiency by introducing an audit policy rather than reviewing all contracts
- Established procedures to allow resource recovery technicians to screen and put together spousal support cases for prosecution
- Conducted more training/education of the Social Services personnel on trusts, resource recovery and guardianship petitions to reduce the number of referrals to the unit on routine questions
- The Litigation Division has instituted a procedure for organizing and logging records into files. A cover sheet has been developed to indicate when and where the records were received and to whom they were given
- The Litigation Division has commenced a practice of peer review of answers, memoranda of law and appellate briefs prior to filing
- The Litigation Division has commenced a practice of comprehensive file review with peer input on each case when ready for trial pursuant to rules in State or Federal Court
- The Litigation Division has streamlined processes for maintaining records of claims filed. Reports have been created and simplified to meet the requirements of the General Municipal Law, as well as serve the needs of the department
- The Collections Unit completed implementation of a contract with ConServe to expedite and streamline processing of certain collections to reduce personnel costs, while maximizing recoveries
- The Litigation Division has commenced a process to catalog insurance files and policies to improve access to old insurance information
- The Litigation Division has commenced a practice of establishing a specific estimated value for each claim and litigation file. Historically, smaller cases defaulted to either \$10,000 or \$20,000. This project will result in a more accurate assessment of the value of the current inventory of claims and lawsuits
- The Litigation Division has developed a file opening checklist to back up current practices and ensure consistent file handling procedures
- Reviewed budgetary issues as they pertain to the Juvenile Prosecutor's Office and made recommendations to the County Attorney regarding ways to reduce costs and maximize efficiencies within the unit

- Developed a practice and procedures manual for the Juvenile Prosecutor's Office
- Developed a brief and opinion bank in the Juvenile Prosecutor's Office
- Developed general plea bargain guidelines for the Juvenile Prosecutor's Office
- Developed a set of forms for court orders, for use in assuring compliance with the Adoption and Safe Families Act
- Began caseworker training for experienced caseworkers involuntarily transferred to Child Protective Services (CPS) in response to CPS staffing problems being experienced at Social Services
- Pursued a challenge, through the fair hearing process, to \$1.7 million in Social Services Law §153-d preventive services sanctions levied against Social Services by the New York State Office of Children and Family Services
- Completed a "shadowing" program with Social Services under which Children's Services Division attorneys each follow caseworkers around for four full days, learning about the practical problems and frustrations faced by caseworkers
- Effectively handled a significantly increased fair hearing caseload, and in this regard assisted the New York State Office of Children and Family Services in implementing protocols to help reduce the number of cases in which the County prepares for a fair hearing, only to have the appellant default
- Significantly streamlined the data input procedure for the Children's Services Unit, allowing easier generation of statistics and statistical reports
- Worked with the Department of Information Services to develop a case management system for the Children's Services Division, allowing easier access to case status information, gathering of meaningful statistics and monitoring of attorneys and support staff performance
- Initiated four appeals on behalf of Social Services touching on issues directly related to permanency for children, thus furthering the objectives of the Adoption and Safe Families Act
- Implemented Joint Enforcement Team in partnership with District Attorney's Office for criminal prosecution of delinquent child support obligors
- Developed process for identifying and closing uncollectible child support cases, resulting in the elimination of more than \$3 million in arrears which were not collectible
- Developed process for managing undistributed funds which resulted in the disbursement of more than \$500,000 to families not in receipt of public assistance
- Developed written informational hand-out for non-custodial parents describing child support enforcement processes
- Converted all Child Support Enforcement Unit (CSEU) forms to templates stored on shared drives which eliminates duplicating costs and standardizes forms
- Provided training to community legal service and other groups regarding child support establishment and enforcement

2003 Major Objectives

- Each General Legal Service (GLS) attorney will cross-train the other GLS attorneys in at least one of his/her major areas of practice, and update the GLS cross-training manual in that area
- Each GLS attorney will conduct periodic contract drafting workshops for department contract administrators
- Further develop and make available standard contracts in a format that permits minimum data insertion by department contract administrators
- Expand the pilot program for processing of low risk routine contracts without Law Department review and approval

- Modify information on insurance certificates to require that all renewal notices be given to the department administering the contract
- Create a process to notify departments of significant changes in the law
- Develop strategies to minimize the effect which reductions in support staff will have on providing timely legal service to clients
- Provide leadership in the county-wide effort to have all county departments ready for the April 2003 deadline for compliance with the new Federal HIPAA Privacy Regulations
- Develop a HIPPA policy to integrate into the unit's confidentiality policy manual
- Assess and harmonize HIPPA requirements with resource recovery policy and procedure
- Begin to measure outcomes by tracking case resolutions and comparing to previously established reserve values
- Refer appropriate injury cases to a nurse consultant to evaluate for purposes of determining the need for retaining an expert medical witness. The goal is to reduce the substantial expert fee expense
- Collections Unit to explore new areas for revenue recovery
- Develop practice strategies to cope with the practice requirements of the newly established Dedicated Juvenile Delinquency Part in Family Court
- Tactfully guide Domestic Violence Court to improve the overall efficiency of the court, through adherence to the law, the design and use of new order forms that use clear and concise language, which in turn would facilitate the expeditious disposition of cases
- Identify the problems associated with the prosecution of 16 and 17 year-olds under the amended PINS legislation, and develop strategies to resolve the problems
- Develop standards and guidelines for referring cases to the newly established Family Court mediation program
- Collect, by whatever means are necessary, all Social Services Law §153-d sanctions money owed to Monroe County under favorable Administrative Law Judge rulings
- Continue implementation with Social Services of strategies to assure compliance with the Adoption and Safe Families Act and a satisfactory response to any and all concerns raised by Federal auditors
- Pursue an increased number of appeals, particularly in cases where achieving permanency for children is the major concern
- Study feasibility of combining Payment Processing and Bookkeeping Units of the CSEU to increase efficiency, eliminate duplication and reduce processing time
- Continue efforts to reduce undistributed child support funds
- Reduce case processing backlogs in CSEU

BUDGET SUMMARY

	Amended Budget 2002	Budget 2003
<u>Appropriations</u>		
Personal Services	6,823,924	6,723,014
Expenses	553,389	567,394
Supplies and Materials	68,029	44,750
Employee Benefits	1,841,976	2,144,659
Interfund Transfers	1,024,468	1,017,460
Total	10,311,786	10,497,277
<u>Revenue</u>		
Charges to Social Services	1,951,755	2,000,549
Charges to Insurance	538,000	538,000
Charges to Other Departments	689,577	776,183
City - Law Enforcement Block Grant	60,000	60,000
Hotel Room Occupancy Tax	14,275	13,483
Transfer from Capital Fund	117,000	117,000
Federal Aid	4,291,988	4,487,510
State Aid	929,161	979,798
Other Revenue	70,000	76,016
Total	8,661,756	9,048,539
<u>Net County Support</u>	1,650,030	1,448,738

BUDGET HIGHLIGHTS

*Decreases in **Personal Services** and **Supplies and Materials** are consistent with the County's cost reduction strategies. **Employee Benefits** increases due to higher medical coverage and retirement costs.*

*Revenues are increased overall, due primarily to increases in **Federal Aid**, **State Aid**, **Charges to Social Services** and **Charges to Other Departments**, resulting in a decrease in net county support for 2003.*

The 2003 Adopted Budget reflects amendments made by the County Legislature. These changes are described in the Legislative Action section of the Budget document.

DIVISION DESCRIPTIONS

Administration (0602)

The County Attorney directs the activities of all units of the Law Department, develops policies and procedures and supervises the staff. Administrative support staff perform personnel/payroll, budgetary and office management functions.

General Law - Legal Services (0604)

The goal of this division is to provide legal advice and analysis and litigation support to the County Executive; all county departments and offices; the County Legislature and all bodies created or authorized by the County Legislature; all county officers and employees on county related matters in order to support county operations. This division also renders legal opinions; drafts state and local legislation; reviews legislative communications; drafts and reviews contracts, specifications and other legal documents; and is responsible for special legal projects. Outcome measures include the percentage of activities achieving service quality standards.

General Law - Social Services (0606)

The goals of this division are: 1) to provide professional legal representation to Social Services in order to advocate within the confines of the law, for results that maximize the delivery of their services, i.e. public assistance, Medicaid, conservatorships; at the lowest cost; and 2) to maximize the collection of monies owed Social Services at the lowest cost. Outcome measures include the decrease in the percentage of lawsuits brought against Social Services that result from allegations that Social Services violated the law.

Litigation/Insurance/Collections (0608)

The goal of this division is to provide litigation, collection and insurance services to the County of Monroe and all its officers and employees in litigation matters, in order to maximize recoveries and minimize payments. This division also represents the county in human rights cases and administrative hearings. The division is also responsible for administering the county's self-insurance program and procures insurance coverage in those areas for which the county is not self-insured. Outcome measures include the percentage of cases concluded within reserved values.

Real Property Transactions/Tax Foreclosure (0610)

This unit is responsible for all real property transactions involving the county. These transactions include acquisition of real property, sale of real property, easements, negotiation and drafting of leases involving the county and condemnation actions for the acquisition by the county of interests in real property. This division also conducts all tax foreclosure actions. Outcome measures are included above.

Family Court - Juvenile Prosecutor's Office (0612)

The goal of this division is to hold juveniles, who are delinquent, or in need of supervision, accountable for their actions through prosecution and treatment, and ultimately protecting public safety. This unit prosecutes offenses committed by juveniles; presents petitions in Persons in Need of Supervision (PINS) cases where requested by the court; assists the court in presenting evidence in violation of probation proceedings involving juveniles and in dispositional hearings. Outcome measures include the percentage of petitions filed that result in successful prosecution.

Family Court - Child Support Enforcement Unit (0614)

The goals of this division are; 1) to collect legally appropriate support obligations in order maximize the dollars available to children and Social Services; and 2) to establish paternity for out-of-wedlock children in order to provide financial support for children. This unit represents Social Services or custodial parents, by statute and contract, on support petitions, reciprocal support petitions and paternity petitions to enforce the collection of child support payments. Outcome measures include the percentage of cases resulting in support collections and the percentage of cases for which paternity is established.

Family Court - Children's Services (0616)

The goal of this division it to provide legal services to Social Services on all child welfare matters to protect the children of Monroe County. This division provides legal support in matters before the Family Court seeking relief on behalf of children who have been the victims of abuse or neglect. They also review the status of children voluntarily placed in foster care and termination of parental rights through guardianship actions or surrenders; appear in juvenile delinquency and Persons in Need of Supervision (PINS) proceedings affecting Social Services; advise Social Services staff in non-support matters affecting children; represent Social Services in administrative fair hearings regarding child protective, foster care and day care issues; and prosecutes and defends appeals. Outcome measures include the percentage of successful representations and percentage cases maintaining federal funding.

Performance Measures

	Actual 2001	Est. 2002	Est. 2003
Litigation/Collections			
Litigation Matters	482	500	500
Litigation Appeals	20	20	20
Civil Collection Matters	1,254	875	875
Real Estate/Foreclosure			
Foreclosure Parcels in Towns and City	1,326	1,526	1,400
Children's Services			
New Neglect/Abuse Petitions Filed	422	425	425
Extensions of Placement	331	350	350
Petitions for Violations	68	70	70
Adoption Surrenders	140	150	150
Guardianships	151	200	200
PINS/JD Applications	312	325	325
Foster Care Review petitions	441	450	450
Appeals Pending	12	15	15
Fair Hearings	27	40	40
General Legal Services			
Contracts Prepared/Reviewed	1,101	1,000	800
Change Orders Prepared/Reviewed	277	268	250
Resolutions Prepared	477	475	475
Local Laws Prepared	7	10	10
Bid Specifications Reviewed	162	120	120
Freedom of Information Requests Reviewed	269	392	380

	Actual 2001	Est. 2002	Est. 2003
SEQR Reviews	64	70	70
Sole Source Designations	53	48	48
Home Improvement Loans	47	40	40
Written Legal Opinions	75	85	85
General Social Services			
Contracts Reviewed	391	262	200
Mortgages Completed	107	80	90
Resource Recovery Files	150	204	250
Adult Protective Referrals	56	92	100
Confidentiality/Subpoena Referrals	150	154	150
Eligibility Files	38	54	55
Trusts Reviewed	48	62	70
Spousal Support Files Opened	22	40	50
Right of Elections	11	15	10
Miscellaneous (Litigation, Housing, etc.)	67	56	60
Estate Files Opened	2,120	2,200	2,250
Child Support Cases			
Social Services Collections (Family Assistance Cost Recovery)	\$9.6M	\$9.4M	\$9.2M
Private Collections	\$43.5M	\$46.4M	\$48.0M
Paternities Established	84%	82%	82%
Support Obligations Established	78%	76%	78%
Walk-In Clients/Respondents	12,204	13,000	13,500
Collections for Other States	\$2.4 M	\$2.6M	2.8M
Total Caseload	49,896	50,500	51,200

STAFF

<u>Total</u>	<u>Title</u> Full Time	<u>Group</u>
1	County Attorney	27
1	First Deputy County Attorney	25
1	Special Counsel	25
1	Child Support Enforcement Manager	22
4	Senior Deputy County Attorney	22
6	Deputy County Attorney I	21
13	Deputy County Attorney II	19
1	Assistant Child Support Enforcement Manager	18
6	Deputy County Attorney III	17
1	Senior Staff Assistant	17
1	Program Coordinator - CSEU	16
1	Deputy County Attorney IV	15
1	Child Support Court Liaison	14
1	Confidential Assistant to County Attorney	14
1	Assistant Secretary to County Executive	13
1	Control Supervisor	13
1	Senior Accountant	13
1	Senior Paralegal	13
1	Senior Real Estate Paralegal	13
2	Senior Trial Assistant	13
5	Child Support Enforcement Supervisor	55
3	Senior Legal Assistant	55
1	Administrative Assistant	12
1	Executive Secretary to County Attorney	12
2	Resource Recovery Technician	12
6	Child Support Investigator	53
2	Legal Assistant - CSEA	10
2	Legal Secretary I	10
1	Paralegal	10
1	Secretary to Special Counsel	10
3	Trial Assistant	10
3	Legal Assistant	52
24	Child Support Examiner	51
3	Child Support Examiner - Bilingual	51
1	Child Support Tech	9
3	Senior Control Clerk	9
1	Senior Process Server	9
10	Legal Secretary II	8
1	Legal Stenographer	8
5	Clerk 2	7
2	Clerk II with Typing	7
3	Control Clerk	7
1	Process Server	7
2	Senior Account Clerk	7
1	Legal Secretary III	6

<u>Total</u>	<u>Title</u>	<u>Group</u>
1	Account Clerk	5
3	Clerk 3	5
6	Clerk 3 with Typing	5
1	Data Entry Operator	5
1	Driver Messenger	5
1	Input Clerk	5
2	Receptionist - Bilingual	5
1	Receptionist - Typist	5
1	Laborer Light	3
1	Clerk Typist	2
<hr/> 151	Total Full Time	
	Part Time	
<hr/> 1	Clerk Typist	2
<hr/> 1	Total Part Time	
<hr/> 152	Total 2003	